

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66339 of 2022

Arising Out of PS. Case No.-413 Year-2022 Thana- DHAKA District- East Champaran

Bhadai Paswan Badai Paswan R/O Village- Narayanpur, P.S.- Patahi, Distt-
East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Dhaka
(Pachpakri O.P.) P.S. Case No. 413 of 2022 registered for the
offence under Sections 302, 201, 120(B) of the Indian Penal
Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 13.07.2022.

The allegation against the petitioner is to commit
murder of the grandson of informant alongwith other co-accused
persons while demand for wages, which was due to petitioner
was raised by the deceased/grandson of the informant.



Learned counsel appearing on behalf of the petitioner submitted that informant is not the eye-witness of the occurrence and entire implication is founded upon suspicion, for the reason that deceased/grandson of the informant and petitioner were worked together as a labour/daily wager. It is also submitted that nothing surfaced during the course of investigation out of said suspicion, which may suggest the involvement of petitioner in present occurrence of murder. While travelling over the argument, it is pointed out that the maximum allegation as per face of FIR appears against this petitioner is to call the deceased from the house alongwith other co-accused persons to join for a work as daily routine. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, where charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail fairly conceded that informant is not the eye-witness of the occurrence.

Considering the facts and circumstances as mentioned above and taking note of the fact that informant is not the eye-witness of the occurrence, coupled with the fact that charge-



sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Dhaka (Pachpakri O.P.) P.S. Case No. 413 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sikrahna/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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